Supreme Court, U.S.
FILED
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N0 10-393

In The Supreme Court of the United States

Daniel R. Baird

Petitioner:

V

Burlington Northern Santa Fe Railroad

&

Brotherhood of Engineers And Teamsters

Respondants

Rehearing of the United States District Minnesota for the Eight Circuit Civil No. 09-3787 Judge James M Rosenbuam

&

United States District of Minnesota for the Eight Circuits Civil No. 08-1654

REHEARING ON MERITS PROCESS & DUTIES
Public Law Board case ???? No. ????

Daniel R Baird
P.O. 627
809 3rd Ave N.E.
Dilworth Mn.
56529

Phone 701-261-9519

QUESTION TO BE PRESENTED

Labor Rail Act 152 Items one through ten time limitation by board's duty and company Public Law Board case ???? Award ????? Minnesota Right to Jury Trial

EEOC 42 U.S,C. 200e-5(b).29

Complete Documents of action and Oral arguments

The articles in Labor Rail Act has time lines not to Delay as I have been accused at by the courts. The Case enclosed have been processed on long term and Conclusion is buried no answers from anybody. This has been done as you will see in appendix. If they have the court will be able find public law Board decision case? Award ????.

The Supreme Court Can not find Decision of Public Law Board Case ???? Award ???? Can not Make The Statement I 'M Dalaying and the good Faith or Retrail Was grounds

In A Jury trial twenty Minutes is about all it would take How come it taken this much time in court

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Statement of Case

The facts in this case have never been on hearsay or even verbal. The documentation in the case has been in writing and all of the dates and time .s are on the papers along with the papers have been signed.

Respect is earned I have done this.

Enclosed in the Appendix is letter and statement a case has gone to Public Law Board and by time limits award would have been filed.

If the courts can find Answer I cannot.

Jurisdiction

There is no other Court who has the right

Conclusion

The right in civil trial by jury is well Known

At the least oral argument before Supreme Court

Appendix of two letters

BLET Division 202

July 20, 2006

Mr. Mark C Bruce
Twin City Division
General Manager
80 44th Ave.
Minneapolis MN. 55421

Dear Mr. Bruce

This Committee is appealing the ten day record suspension of Minnesota Seniority District Locomotive Engineer, Daniel R Baird for alleged violation of the General Code of operating Rule 1.16.Subject to Call.

Mr. Baird has been charged with alleged failure to comply with General code of Operating Rules, Rule 1.16 subject to call; However, when Mr. Baird was asked if he had complied with this rule his response was Yes (Page 27 lines 6 through 13) and in response to a question as to whether he had been absent from his normal place of calling he resounded No (Page 27, Lines 14 through 18) so the charge of violation of this rule is absolutely without merit or substantiation.

Mr. Baird made a request to be relieved at the scene of a pedestrian accident with his train in Brainerd, Minnesota on his previous trip but decided to bring his train into Dilworth when his Conductor decided not to be relieved Mr. Baird rightfully expected to be met at Dilworth by a trauma team or, the very least a Trainmaster who would explain the

Trauma process to him. When he was not met by anyone he tied up and wet to his home to deal with his post traumatic stress by himself.

The inability of Mr. Baird to awaken when called for service on the following trip was through no fault of his own, he was simply in the throes of trauma and his human response was to sleep to rid his body of the trauma he had been exposed to. Mr. Baird was initially unable to relax to gain meaningful quality sleep following the violent trauma he had been exposed to when his train struck a pedestrian. When sleep did finally come to Mr. Baird was given a short call to begin with (One hour and two minutes) and the not given adequate time to call in for his train.

We ask that Mr. Baird be paid for all-time lost as a result of his undeserved investigation itself and that any marks and documentation regarding this incident be removed from Engineer Baird's personal record.

Sincerely

Thomas E Finnegan
Local Chairman BLET Division202

BLET General Committee of Adjustment
Burlington Northern Santa Fe- Montana Rail link
801 Cherry Str. S 1010
Ft. Worth, Tx. 76102
Tel 817-338-9010 fax 817-338-9088

December 18, 2009
File D060822.1 DR Baird

R.D. Walker
Local Chairman
Division 202
3613 5th Str. S
Moorhead, Mn. 56560

D. R. Baird
P.O. 627
Dilworth, Mn. 56529

Dear Sirs and Brothers:

The above referenced case will be heard at a Public Law Board by Referee Robert O'Brien on March 24 & 25 2009 commencing at approximately 9 am in the conference room of the Circa 39 Hotel' 3900 Collins Avenue, Miami Beach 'Florida, 33140. Contact information for the hotel is telephone 305-538-4900, web –www.circa39.com-.

As always it is intended that cases where a claimant is in attendance will be heard first. Those cases will most probably all be heard on March 24 so that Claimants may more easily make their travel arrangements

If the claimant does choose to attend, He/she desires to be responsible for all of his/her own expenses if we do not receive a written reply by the date of the hearing, we will assume that the claimant will not be in attendance.

We intend to send copies of our submissions for review at a later date, as time provides We also ask that Local Chairmen make every effort to contact Claimants, should their mailing addresses not be current

Fraternally, S J Bratka (Vice Chairmen

PLB ???? Case?
Engineer D.R. Baird
BLET File : D060822.1
BNSF File 70-06-1614